

From: Williams, Timothy
To: [Downey Magallanes](#)
Subject: Fwd: Official correspondence from the Bears Ears Tribal Commission
Date: Friday, September 01, 2017 9:57:31 AM
Attachments: [Letter SanJuan Co Jul 17.pdf](#)
[Bears Ears Inter-Tribal Commission letter to Zinke 8.31.17 final.pdf](#)

----- Forwarded message -----

From: **Bears Ears Commission** <bears earscommission@gmail.com>
Date: Thu, Aug 31, 2017 at 5:43 PM
Subject: Official correspondence from the Bears Ears Tribal Commission
To: ryan_zinke@ios.doi.gov, exsec_exsec@ios.doi.gov, timothy_williams@ios.doi.gov,
secretary_zinke@ios.doi.gov

Dear Secretary Zinke and Key Interior Staff,

Attached is an official letter from the Bears Ears Tribal Commission in response to a letter by the San Juan County Commission that was sent to your office. Our letter has also been sent via FedEx to the Department of Interior.

Thank you,
Carleton Bowekaty, Co-chair of the Bears Ears Tribal Commission &
Terry Knight, Co-chair of the Bears Ears Tribal Commission

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Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
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NOTE: *Every email I send or receive is subject to release under the Freedom of Information Act.*



sanjuancounty.org
Secretary Ryan Zinke:
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

SAN JUAN COUNTY COMMISSION

Bruce B. Adams - Chairman
Rebecca M. Benally - Vice-Chair
Phil Lyman - Commissioner
Kelly Pehrson - Administrator
July 5, 2017

Dear Secretary Zinke:

Since the designation of the Bears Ears National Monument (BENM) on December 28, 2016, we have been told numerous times by federal officials that all meetings or planning for the BENM have been put on hold. This postponement of planning was due to the State of Utah and San Juan County's opposition to the monument and the more recent Secretarial review and pending recommendation for certain national monuments, including BENM.

Recently we were made aware of a June 28, 2017, hike into the BENM by members of the Bears Ears Monument Commission, Utah Dine Bikeyah, Forest Service and BLM representatives. With this hike it appears that planning for the BENM has been initiated. Neither San Juan County nor the State of Utah were invited to participate.

We are concerned that planning for the BENM is taking place by a select few without State or local government representation or public participation contradictory to what we have been told and inconsistent with your pending recommendation.

Please inform us what has been transpiring with the BENM.

Sincerely,

Bruce B. Adams
Chairman

Cc: Senator Orrin Hatch
Senator Mike Lee
Representative Rob Bishop
Representative Chris Stewart
Governor Gary Herbert
Acting BLM Director Michael Nedd
Utah State Director Ed Roberson
District Manager Lance Porter
Field Manager Don Hoffheins
Forest Supervisor Mark Pentecost
District Ranger Mike Diem

BEARS EARS



*The Purpose of the Bears Ears National Monument is to Honor:
The Land; the Tribes, Past and Present; and the Tribes' Relationship to the Land*

August 31, 2017

Secretary Zinke
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Zinke;

We are attaching a letter to you from the San Juan County Commission, dated July 5, 2017. In it, the County Commission stated that since the proclamation of the Bears Ears National Monument, “we have been told numerous times by federal officials that all meetings or planning for the BENM have been put on hold. This postponement of planning was due to the State of Utah and San Juan County’s opposition to the monument and the more recent Secretarial review and pending recommendation for certain national monuments including BENM.”

If the above statement is untrue, we would appreciate your so advising us. If it is true, we request that you disavow it and instruct departmental officials to proceed with meetings and planning for the monument. For federal officials to “put on hold” meeting and planning with the Bears Ears Tribal Commission, as described in the attached letter, is contrary to valid federal law—the Presidential Proclamation establishing the Bears Ears National Monument.

As you know, the very creation of this national monument was due in large part to the extensive research, substantial policy recommendations, and numerous presentations by tribal leaders from the Hopi Tribe, Navajo Nation, Ute Indian Tribe, Ute Mountain Ute Tribe, and the Pueblo of Zuni. The monument was created to honor the land; the tribes, past and present; and the tribes’ relationship to the land.

The centerpiece of the Proclamation, in addition to the physical landscape itself, is the extensive provisions for collaborative management between the Bears Ears Tribal Commission and the two federal agencies. The Proclamation made many different references to this special relationship between our tribes and the federal agencies with regard to monument management. Strong emphasis was placed on incorporating tribal traditional knowledge into monument management. The agencies were directed, “to *ensure* that management decisions affecting the monument reflect tribal expertise and traditional and historical knowledge.” (Emphasis supplied). The Proclamation requires that the agencies “shall *meaningfully engage* the Commission...in the development of the management plan and to inform subsequent management of the monument.” (Emphasis supplied). The collaborative management system

was designed so that the tribal commission could “*effectively partner* with the Federal agencies *by making continuing contributions to inform decisions* regarding the management of the monument.” (Emphasis supplied.)

To underscore the importance of the tribal commission’s and federal agencies’ full cooperation in collaborative management, the proclamation included an innovative procedure requiring the agencies to explain any rejection of tribal proposals: “if the Secretaries decide not to incorporate specific recommendations submitted to them in writing by the Commission...they will provide the Commission...with a written explanation of their reasoning.”

As an overarching matter, the Proclamation found that traditional knowledge, as incorporated into monument planning through collaborative management, is essential to achieving the sustainability and full potential of this monument. This profound finding was articulated as follows: “The traditional ecological knowledge amassed by the Native Americans whose ancestors inhabited this region, passed down from generation to generation, offers critical insight into the historic and scientific significance of the area. Such knowledge is, itself, a resource to be protected and used in understanding and managing this landscape sustainably for generations to come.”

In closing, the existing legal mandate is that federal officials “effectively partner” and “meaningfully engage” with the tribal commission to “ensure” that Native American traditional knowledge is honored and used in collaborative management in order to reach the highest potential of this monument. These directives remain fully in place and are not diminished by the views of Utah state officials to or the Secretarial review of national monuments. Again, if the current situation is as the San Juan County Commission described it, we request that you take immediate action to ensure that departmental officials will fully comply with the governing requirements as directed by the December 28, 2016 Presidential Proclamation.

Thank you for your courtesy.

Sincerely,


Terry Knight
Ute Mountain Ute Tribe
Bears Ears Commission Co-Chair


Carleton Bowekaty
Pueblo of Zuni
Bears Ears Commission Co-Chair